

## MARRIAGE IN OVERSEAS COMMANDS

Armed Forces personnel stationed overseas must obtain written authorization from their commander **prior to** marrying.

Civilian personnel serving with, employed by, or accompanying the Armed Forces overseas under the Department of Defense's sponsorship are **not** required to submit applications for authorization to marry.

### *MARRYING A FOREIGN NATIONAL*

Prior to the commander approving an application for marriage, (1) a premarital investigation, (2) a medical examination, (3) a legal briefing, and (4) a financial statement (under certain circumstances) must be completed.

Commanders must ensure that a premarital investigation is conducted when the prospective spouse is a foreigner. MPF (Passports, Visas & Marriages) will submit a request for a premarital investigation to the OSI. MPF will provide the commander a courtesy copy of this request. Depending upon the prospective spouse's nationality, the OSI, the Naval Criminal Investigative Service or U.S. consular officials in that foreign nation will conduct the investigation.

A premarital investigation can take approximately 2 months to 12 months to complete. Typical processing times based on nationality are:

Japanese	2 months
Korean	4 months
Spanish	6 months
Turkish	8 months
Singaporean	10 - 12 months
Chinese	12 months
Filipino	12 months
Malaysian	12 months
Thai	12 months
Vietnamese	12 months
Others	10 - 12 months

Upon completion of the premarital investigation, the OSI will send the report to MPF. MPF will then send a copy of the report to the commander. If the results of the investigation reveal evidence of a derogatory nature, which in the commander's opinion raises a question about the prospective foreign spouse's eligibility for a visa, the commander must refer the case to the appropriate U.S. consular officials for advice.

A prospective foreign spouse who seeks admission to the United States must have a medical examination. Any additional foreign dependents (such as stepchildren) must also have a medical examination.

The member and the prospective foreign spouse must visit the legal office. An attorney will brief the couple on the requirements of the Immigration & Naturalization Service (INS) laws of the United States. The attorney shall inform the member of his/her responsibilities to support his/her dependent(s). If either party was previously married or received an annulment, the attorney shall determine whether that party is legally free to marry. An attorney will not brief the couple **until** the premarital investigation is completed.

The member must present evidence that he/she can financially support the spouse and prevent the spouse from being on welfare. For E-4s (with less than 2 years service) and E-3s and below, the member must submit a financial statement indicating he/she has sufficient funds to support his/her dependents.

Once the premarital investigation, the medical examination, the legal briefing, and the financial statement (if applicable) are concluded, the commander may grant approval to marry. Approval of the proposed marriage will not necessarily result in the prospective foreign spouse being granted an immigration visa. Even in those cases in which a visa is granted, there is no certainty that a foreign spouse will be admitted into the United States at the Port of Entry. The Commissioner of INS, **not** the Department of the Air Force nor the Department of Defense, has final jurisdiction regarding entry of foreigners into the United States.

Both the legal office and MPF brief the member about the importance of filing a petition with the U.S. Embassy Tokyo as soon as possible. Obstacles such as missing documents or the need for additional information could delay the issuance of the visa. **THESE OBSTACLES MAY RESULT IN THE MEMBER DEPARTING FROM THE OVERSEAS COMMAND WITHOUT HIS/HER FOREIGN SPOUSE. EVEN IF THE FOREIGN SPOUSE IS LISTED ON THE MEMBER'S ORDERS, THE FOREIGN SPOUSE CANNOT ACCOMPANY THE MEMBER BACK TO THE UNITED STATES IF A VISA HAS NOT BEEN ISSUED.**

If you have additional questions, please call Ms Junko Ishida at 225-7330.